

## REQUEST FOR BOARD ACTION

ITEM NO. 16.

**DATE OF MEETING:** September 21, 2009

**REQUESTED BY:** Benjamin Andrea, Planner I, Planning & Community Development

**SHORT TITLE:** Resolution to approve a Special Use Permit – Boat repair and general merchandise retail sales

**BACKGROUND:** Walter Christian Jones, applicant, on behalf of Jeremiah Bascom Reeves, owner, is requesting approval of a Special Use Permit for the operation of a boat repair and general retail merchandise sales facility. The property is zoned RT, Rural Transitional, and is located at 2479 NC Highway 210 near Hampstead, NC. The property may be identified as PIN 3273-71-4521-0000.

**SPECIFIC ACTION REQUESTED:** To hold a public hearing and consider the approval of a Special Use Permit for a boat repair and general retail merchandise (boat parts) sales facility.

**PLANNING STAFF REPORT**  
**Special Use Permit**

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**SUMMARY:**

**Hearing Date:** September 21, 2009  
**Case Number:** SUP 09-09-21-20 Jones/Carolina Outboard, Inc.  
**Applicant:** Walter Christian Jones  
**Property Owner:** Jeremiah Bascom Reeves

**Land Use Proposed:** The applicant is proposing to operate a boat repair facility with a parts counter for sales of boat-related repair parts.

**Property Record Number and Location:** The property is located at 2479 NC Highway 210 W., near Hampstead, NC. The property may be identified as PIN 3273-71-4521-0000.

**Zoning District of Property:** The property is zoned RT, Rural Transitional.

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**PROJECT DESCRIPTION:**

The applicant is proposing the operation of a boat repair facility with a parts counter for low-volume sales of boat parts and repair components. The facility would be located in an existing 3200 square ft. building at 2479 NC Highway 210, near Hampstead. The existing building is compliant with the landscape buffer regulations imposed in the Pender County Zoning Ordinance, although some improvements would need to be undertaken to bring the facility into compliance with the state building code. This would be more thoroughly reviewed during the commercial site plan review following approval of the special use permit request. **No boat sales are proposed, requested, or will occur.**

The project would utilize only half of the existing building, to include 1600 square feet. The portion of the building to be used for the project features two bays, an office, and a restroom facility. The land surrounding the building features ample paved area for parking and maneuvering of vehicles both with and without trailers. This eliminates the concern of vehicles with trailers being forced to stop on NC Highway 210 and back into the facility, potentially creating a traffic and safety hazard. The existing driveway provides ample room for ingress and egress, although a driveway permit will need to be obtained from NC Department of Transportation for the new use. The rear of the property features a large, 0.35-acre fenced area that will be utilized for storage of the boats waiting repair or pick-up.

The proposed hours of operation will be from 8:00am to 5:00pm Monday through Friday. The number of employees will initially be two, but increased business may warrant the need for up to a proposed total of five employees. The applicant has indicated a dedication to maintaining an orderly and neat appearance on the property.

Impacts on traffic to the surrounding area will be minimal. The project will be focused on boat repair, however, the applicant indicated to Staff during the pre-submission project scoping meeting that they would like to be able incorporate a low-volume sales counter as well. The facility will also provide a location for boat storage in the Hampstead area during emergency situations such as hurricanes; this is beneficial due to the increasing numbers of privately-owned recreational vessels in the area that must be accommodated under such emergency conditions.

The existing land use of the neighboring parcels includes office and commercial uses. Across the highway lies a large, 173-acre parcel that is currently vacant and undeveloped. The land use to the rear (south) of the project is undeveloped land. The nearest residential structure is located approximately 500 feet Northwest from the proposed project building, across NC Highway 210.

**EVALUATION:**

- A) Public Notifications:** Advertisements for the proposal have been placed in the Topsail Voice and Pender Post. Adjacent property owners were notified by first class mail.
- B) Basis for Granting SUP:** See Attachment A for approval procedures (15.3 of Zoning Ordinance) and revocation procedures (15.4b of Zoning Ordinance).
- C) Zoning Ordinance Compliance:** The property is zoned RT, Rural Transitional. Boat repair and general retail merchandise sales are both permitted in the RT zoning district by special use permit.
- D) 2005 Land Use Plan Compliance:** The current CAMA Land Use Plan classifies the subject property as Rural Cluster. These areas have traditionally been primarily residential, but home based-businesses, neighborhood service, and retail businesses are compatible uses in this classification. The applicant's proposed use is consistent with the Rural Clusters CAMA land use plan classification.
- E) Existing Land Use in Area:** The property consists of an existing, vacant 3200 square ft. building, as well as adequate paved driveway with ample room for parking. The rear of the property hosts a 0.35 acre fenced area, as well as a 30' x 24' storage building. The property currently conforms to the landscape buffer requirements outlined in the Pender County Zoning Ordinance; however, minor improvements may be needed to bring the project into state building code compliance (ie. delineate parking, install handicap parking signs, etc. Building code compliance will be further assessed during the commercial review phase.) The neighboring properties on either side are office, commercial, or institutional uses. Across NC Highway 210 lies a vacant 173-acre parcel. The nearest residential structure is located at 2540 NC Highway 210, and is approximately 500 ft. from the proposed project building. The area behind (south) of the proposed project site is vacant and undeveloped.
- F) Site Access Conditions:** The property has direct access to NC Highway 210 via an existing driveway. There is ample room for a vehicle with a trailer to pull in to the property and turn around, eliminating the concern of vehicles with trailers having to stop on NC 210 to back into the proposed facility and creating traffic and safety hazards. Because of the new use, a driveway permit from NC DOT will be required.
- G) Conditions Governing Special Use Permit Approval:**
1. The project shall comply with and be maintained in accord with all provisions of all applicable sections of Pender County Ordinances and all state and federal regulations.
  2. A separate Zoning Permit must be obtained for any proposed signs. Signs shall be in accord with Section 16 of the Pender County Zoning Ordinance.

ITEM NO: \_\_\_\_\_

**RESOLUTION: NOW, THEREFORE, BE IT RESOLVED**, that on September 21, 2009 the Pender County Board of Commissioners (approved, modified, denied) a special use permit for the operation of a boat repair and general merchandise retail sales facility, as described herein, and Jimmy T. Tate, Chairman to the Board, is authorized to execute the order implementing this resolution and provide notice to the applicant of the action taken herein.

**AMENDMENTS:**

MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ UNANIMOUS \_\_\_\_\_

YEA VOTES: Tate \_\_\_\_\_ Brown \_\_\_\_\_ Blanchard \_\_\_\_\_ Rivenbark \_\_\_\_\_ Williams \_\_\_\_\_

\_\_\_\_\_  
Jimmy T. Tate,  
Chairman

9/21/2009  
Date

\_\_\_\_\_  
ATTEST

9/21/2009  
Date

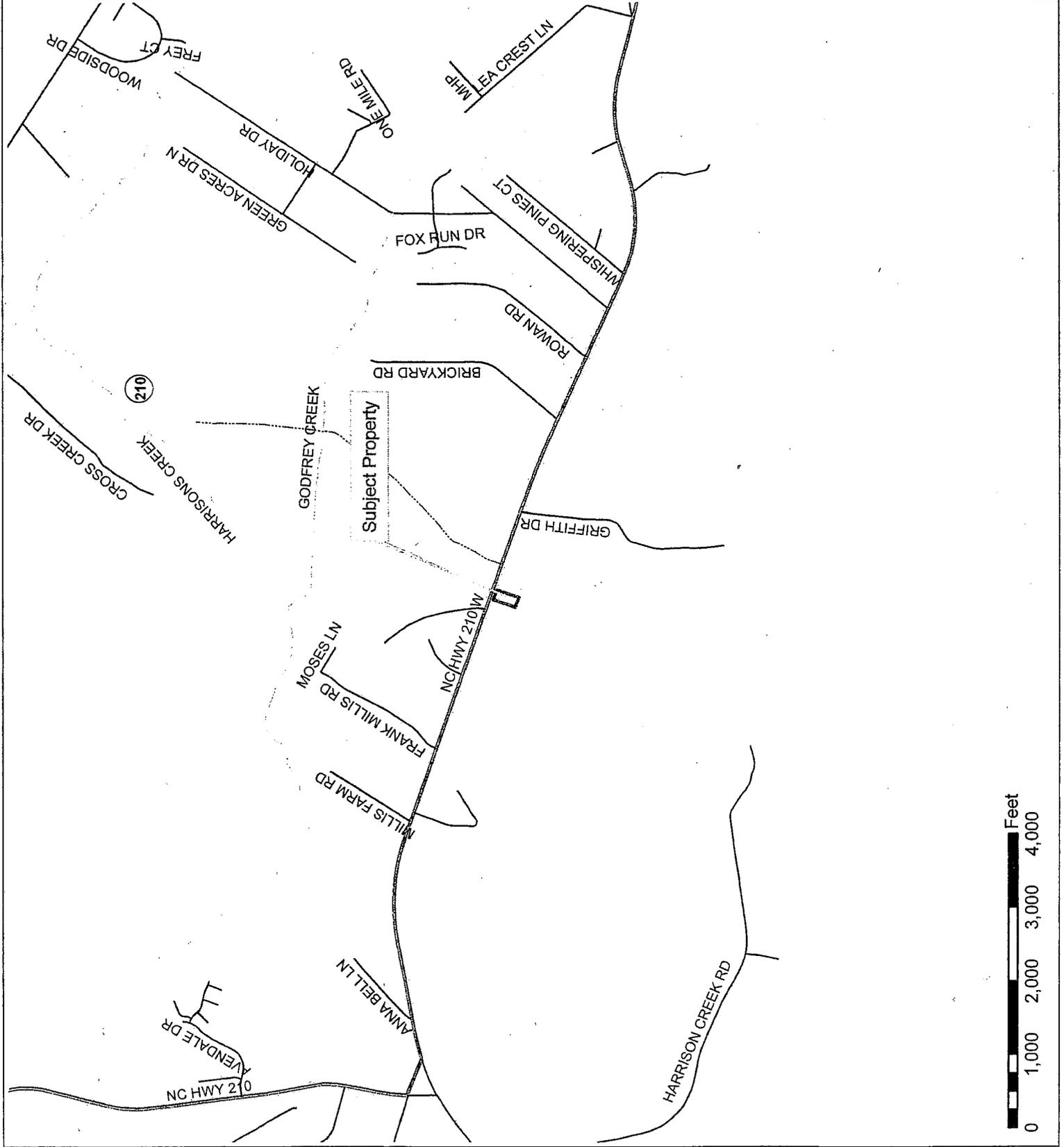


**Applicant -  
Walter Christian Jones/  
Carolina Outboard, Inc.**

**Special Use Permit:  
Boat Repair and  
General Retail  
Merchandise Sales**



**Vicinity Map**





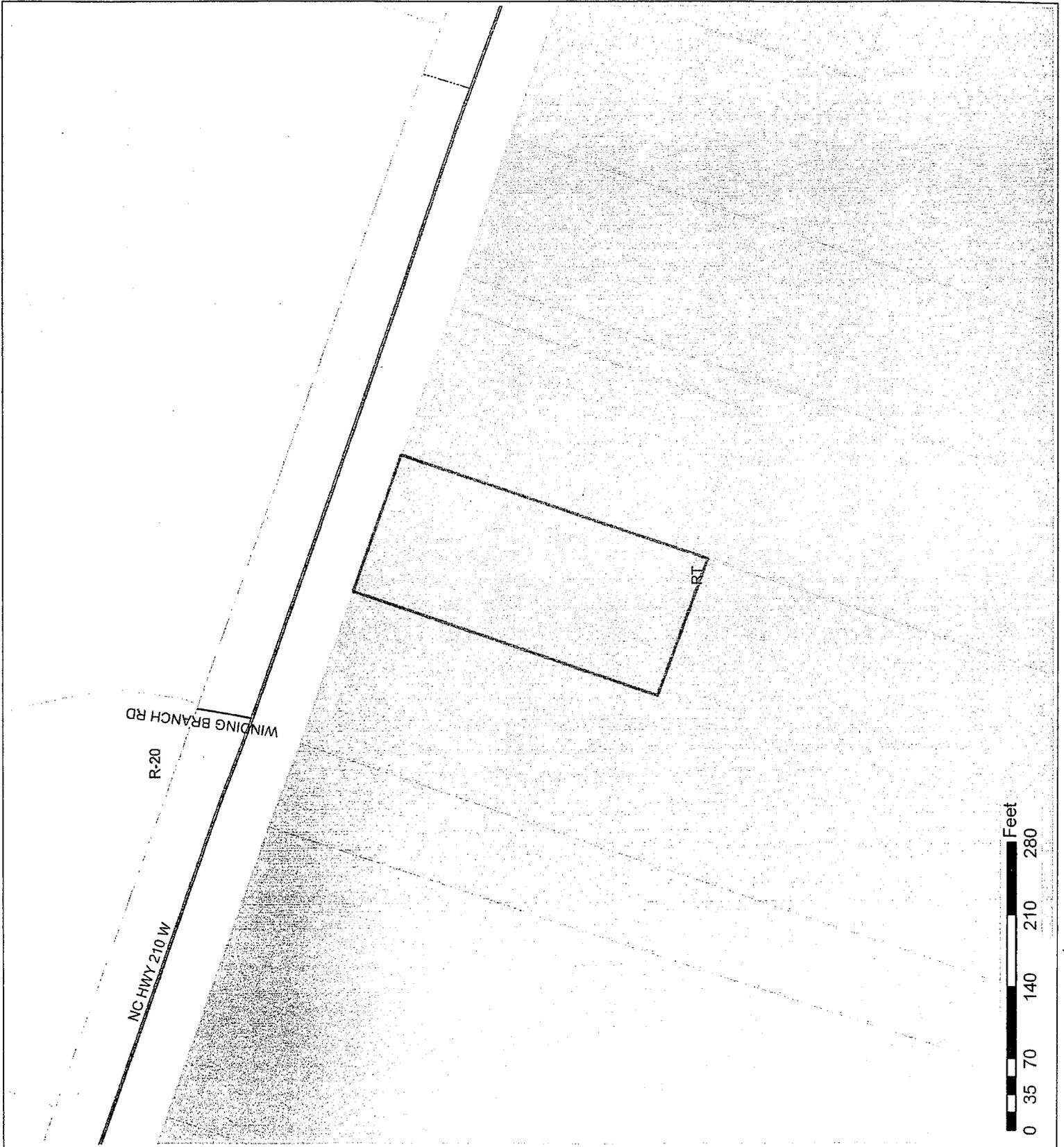
**Applicant -**  
**Walter Christian Jones/**  
**Carolina Outboard, Inc.**

**Special Use Permit:**  
**Boat Repair and**  
**General Retail**  
**Merchandise Sales**

	Subject Property
<b>Zoning</b>	
	B-1
	B-2
	B-3
	I-1
	I-2
	Incorporated Area
	PD
	R-10
	R-15
	R-20
	R-20C
	RA
	RT
	WSPA



**Zoning Map**





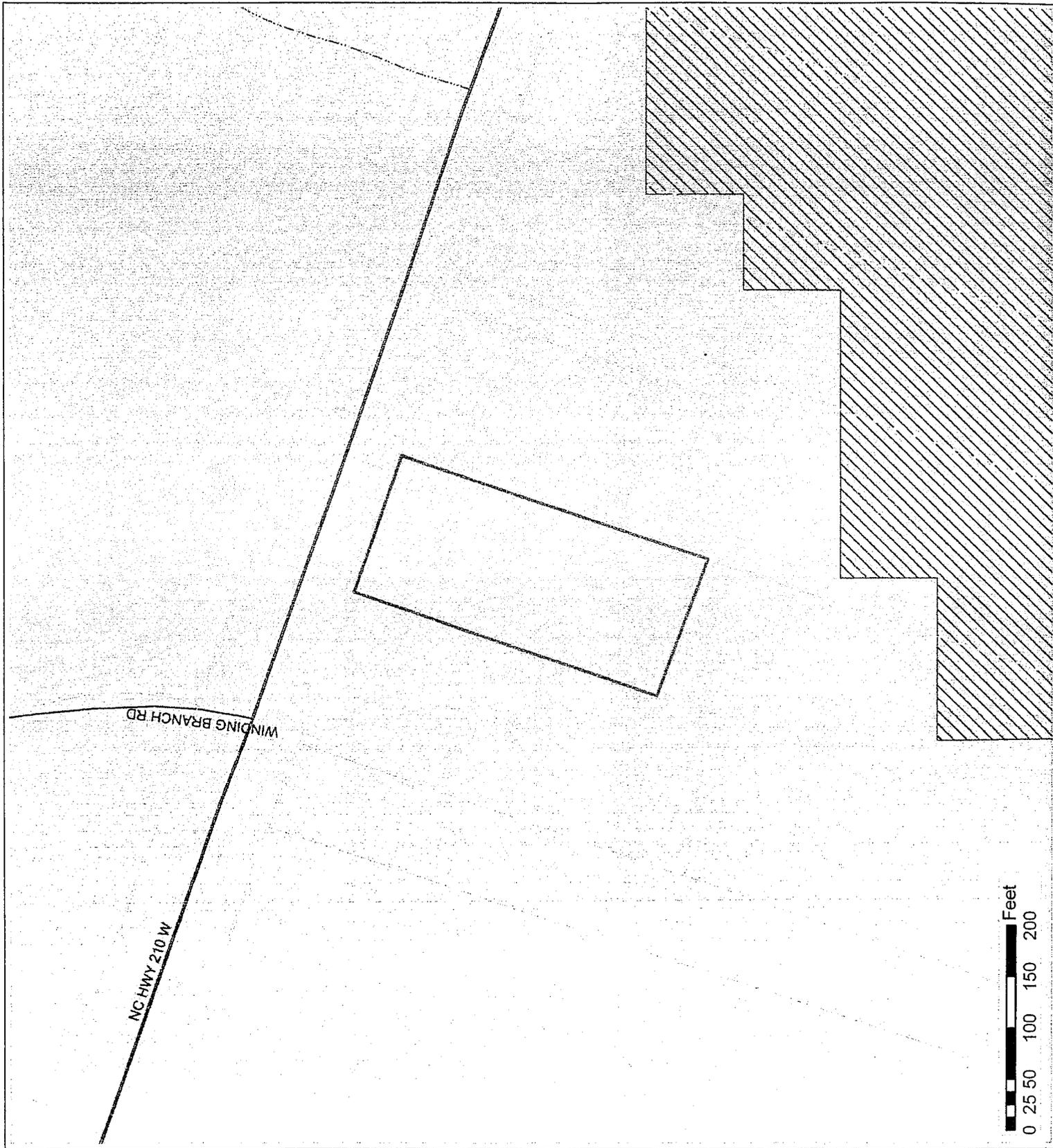
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CAMA Land Use	
	Subject Property
	Rural Areas
	Rural Clusters
	Urban Growth Areas
	Transition Areas
	Conservation Area II
	Conservation Area I



**CAMA Land Use**



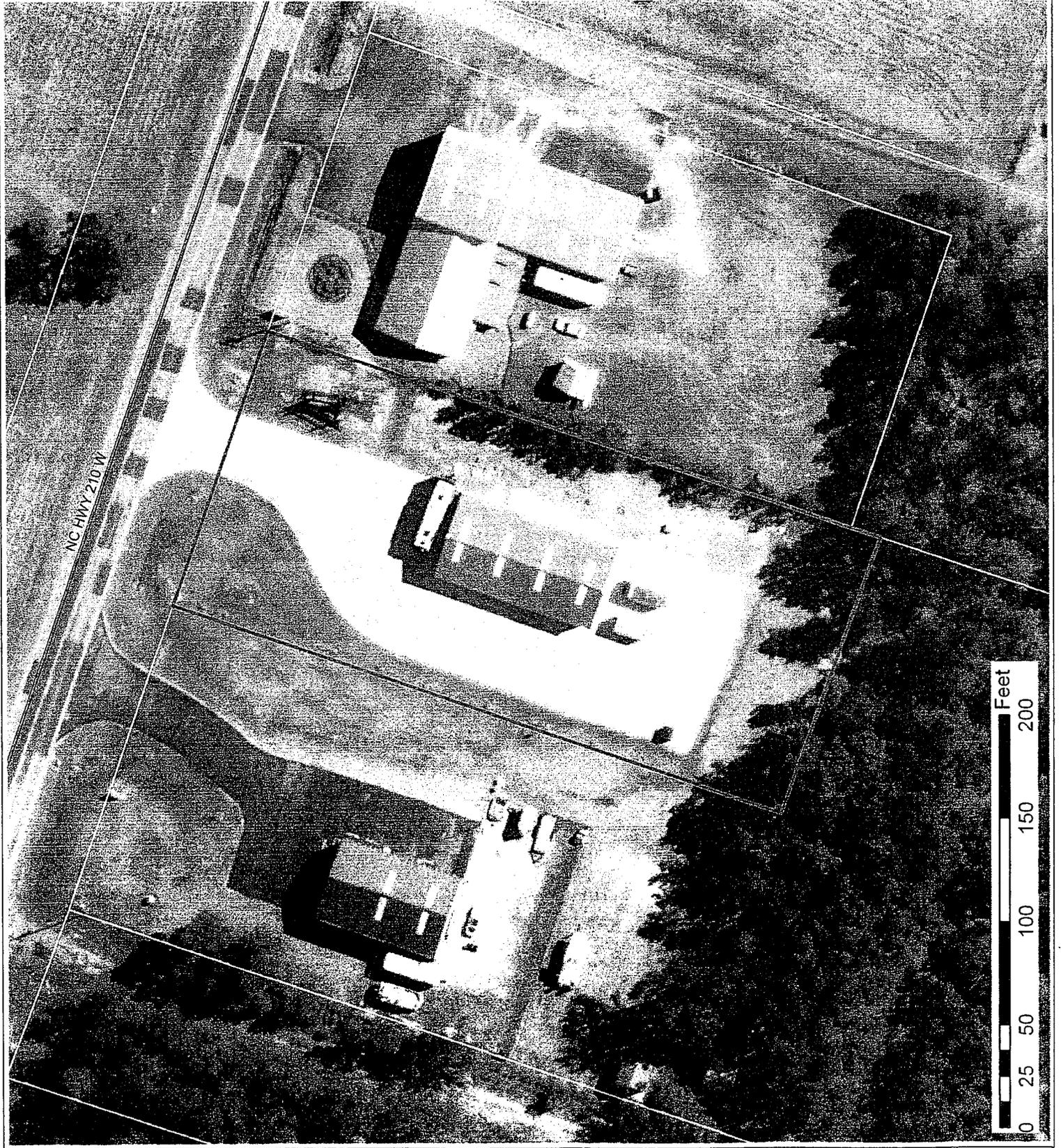


**Applicant -  
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**Aerial Map**



# PLANNING AND COMMUNITY DEVELOPMENT

PLANNING • CODE ENFORCEMENT • BUILDING INSPECTIONS • CENTRAL PERMITTING



## APPLICATIONS COVER SHEET

Date Application Filed: 8/6/09

### I. REQUIRED NAMES:

Applicant Walter Christian Jones

Owner Jeremiah Bascom Reeves

Address 1983 Morgan Rd.  
Kelly, NC 28448

Address 2110 Washington Acres Rd.  
Hampstead, NC 28443

Phone (910)540-2772 Fax N/A

Phone (910)443-1349 Fax N/A

Email carolinaoutboard@aol.com

Email \_\_\_\_\_

Legal Relationship of Applicant to Property Owner: Friend

Consultant Name/Company \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

### II. AFFIDAVIT REGARDING OWNER - APPLICANT RELATIONSHIP:

I Jerry B REEVES (owner) and W. Christian Jones (applicant) hereby affirm that an appropriate contractual relationship permitted by the appropriate NC State Codes exists between said Owner and Applicant. Owner and Applicant also affirm that if the owner requests that the application be terminated, staff will comply with Owner's request.

W. Christian Jones  
(Signature of Applicant)

Jerry B Reeves  
(Signature of Owner)

### III. TYPE OF APPLICATION: (Please check one)

Board of Adjustment:  
 Variance  
 Appeal

Zoning:  
 Text Amendment  
 Map Amendment  
 Home Occupation  
 Special Use Permit  
 Vested Rights Determination

Plans:  
 Planned Development Master Plan  
 Subdivision Preliminary Plat  
 Final Plat

# PLANNING AND COMMUNITY DEVELOPMENT

PLANNING • CODE ENFORCEMENT • BUILDING INSPECTIONS • CENTRAL PERMITTING



## FEE SCHEDULE

Board of Adjustment:	Applicable Fees:	Fee Calculation:
Variance	\$250.00	
Appeal	\$250.00	
<b>Zoning:</b>		
Zoning Determination Letter	\$15.00	
Text Amendment	\$250.00	
Map Amendment	\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter	
Vested Rights Determination	\$250.00	
Home Occupation	\$25.00	
Special Use Permit	\$300.00 & \$10.00 per acre over 5 acres; max of \$5,000.00	\$ 300
SUP, Part of AEC	\$300.00 & \$10.00 per acre over 5 acres	
SUP, Tower over 75 ft.	\$500.00	
SUP, Mining Borrow Pit	\$750.00 & \$10.00 per acre over 5 acres	
SUP, Mining other	\$1,000.00 plus \$5.00 per acre	
<b>Plans:</b>		
Planned Development Master Plan	\$500.00 plus \$10/acre for the first 100 acres; \$5/acre thereafter	
Preliminary Plat	\$500.00 & \$10/lot/residential unit for the first 100 lots/units; \$5 per lot/unit thereafter	
Final Plat	\$250.00 & \$10/lot/residential unit for the first 100 lots/units; \$5/lot/unit thereafter	
<b>Total Fees Due:</b>		

### Attachments Included with Application:

(Please include # of copies)

CD  Plan Sets  Other Documents/Reports

### Method of Payment:

Cash  
 Credit Card, We accept VISA  and MasterCard  only.  
 Check, Ck. # (CANTOR )

### For Office Use Only:

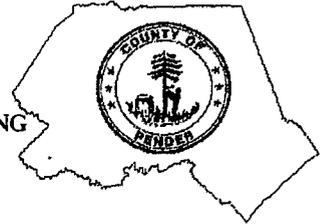
Receipt # 024621

Received By: [Signature]

Date: 2/6/09

**PLANNING AND COMMUNITY DEVELOPMENT**

PLANNING • CODE ENFORCEMENT • BUILDING INSPECTIONS • CENTRAL PERMITTING



**SPECIAL USE PERMIT APPLICATION**

THIS SECTION FOR OFFICE USE			
Application No.	09-09-21-20	Date	8/6/09
Permit Fee	\$300	Receipt No.	024621
APPLICANT INFORMATION			
Applicant Name Walter Christian Jones		Owner Name Jeremiah Bascom Reeves	
Address: 1983 Morgan Rd. Kelly, N.C. 28448		Address: 2110 Washington Acres Rd. Hampstead, N.C. 28443	
Phone No: (910) 540-2772 (617-8995)		Phone No: (910) 443-1349	
Legal relationship of applicant to owner: Friend			
PROJECT INFORMATION			
Property tax record No. 3273-71-4521-0000		Total property acreage: 4	
Zoning Designation: RT		Acreage to be disturbed:	
Acreage to be used for project: 4			
Project location and address: 2479 NC Hwy. 210 Hampstead, NC 28443			
Describe activities to be undertaken on project site: Boat Repair			
SIGNATURES			
Applicant: <i>Walter Christian Jones</i>	Date: 8-6-09	Owner: <i>Jeremiah Bascom Reeves</i>	Date: 8-6-09
NOTICE TO APPLICANT			
1. Applicant must also submit the information described on page two of this form. 2. Applicant or agent authorized in writing must attend the public hearing. 3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Board of Commissioners or other authorized person agrees to table or delay the hearing. 4. Applicant may wish to review the required findings for approval of a Special Use Permit (p. 3). 5. <b>Permit will become void after 12 months if a final zoning permit is not obtained, unless specifically requested at the time of public hearing.</b>			

To: Pender County Board of Commissioners

From: Chris and Vickie Jones,

Owners of Carolina Outboard, Inc.

We would first like to thank you in advance for considering our application and request for the special use permit. It would be a privilege to us to be approved to open a family owned and operated business in the Hampstead area.

Our business is Carolina Outboard, Inc., and it will operate as a boat service facility. Carolina Outboard, Inc. will offer complete boat and engine services including the following: engine repairs, hauling, and hurricane haul-out. In addition to this, we will also have a parts counter.

The location, if approved, would be at 2479 NC Hwy. 210W in Hampstead. The building located on this property facilitates our needs in size and set-up, as does the layout of the property; therefore, no further construction would be required in order to operate. We would only be leasing the front half of the building (1600 square feet) from the current owner. This portion of the building includes two bays, an office, and restroom. For parking, we would have six spaces, including a handicap accessible space located by the door. The current landscaping of the property already complies with the zoning ordinances as far as buffers between adjacent properties is concerned. The business would be accessible by a two way driveway on Hwy. 210.

The operating hours of Carolina Outboard, Inc. will be from 8:00 a.m. to 5:00 p.m., Monday thru Friday. To start, my husband and I will be the only people working at the business. As the business grows we, of course, will need to hire help, but we will have no more than two to three additional employees.

In the day to day operations, other than a truck, boat trailers and boats, the only other piece of equipment to be utilized would be a small forklift for moving boats. Boats ready for pick up, or those waiting to be worked on will be stored in a fenced in area in the back of the building. The fenced in area will allow us to keep the property neat and clutter free. The appearance of the yard is important to us, as we know that motorists traveling on Hwy 210 could always be potential customers!

Our business will place no further traffic burden in the area; therefore the community and property adjacent to the proposed location would not be affected from this aspect. Nor would there be any impact from noise.

If the special use permit is granted, we will also apply for the final zoning permit and a sign permit. Other than these, we would need nothing else in order to open our business.

We think the proposed location would be convenient for boat owners and customers in and around the Hampstead area. We would be providing an opportunity for people to have their boat repaired or

serviced by a locally owned and family run business. My husband has worked on boats for over 20 years. He is excellent at his job, and we know we can serve this community well. Residents of the Hampstead area would be the backbone of Carolina Outboard, Inc., and we will always strive to have the best customer service. We want to be a mainstay in this community for years to come.

We thank you again for your time in considering our application, and look forward to hearing from you at the meeting on September 21st.

SC #114

1" = 40'

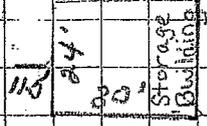
N 66° 24' 30" W 140'

127'

Fence 15' Inside property line



120'



Fenced In Area (Gravel)

S 23° 35' 30" W 311.14'

Septic Tank

Pump Station

29'

40'

Security Lights

Parking

60'

N 23° 35' 30" W 311.14'

Four County EMC Easement

Concrete Drive

Concrete

Supply Line

S 66° 24' 30" E 140'

100'

49.8'

50.08'

5' App Wide ditch

Edge of Asphalt

N 66° 21' 43" W

N.E. 2.10

SYSTEM TYPE Va

PENDER COUNTY HEALTH DEPARTMENT  
P.O. BOX 1209, BURGAW, NC 28425  
PHONE: 910/259-1233  
IMPROVEMENT PERMIT / CONSTRUCTION AUTHORIZATION  
OPERATION PERMIT

MAP # \_\_\_\_\_  
RECORD # \_\_\_\_\_

PAGE 1 OF 2

OWNER / AGENT David Sinclair DATE 4-14-05 PERMIT# 100427

ADDRESS 6628 Faison Hwy Faison NC PHONE 533-3944

SITE LOCATION 3 mile west of Haverstead on Hwy 210W opp de Carolina Glass and Tri. County Electric

SUBDIVISION N/A LOT# \_\_\_\_\_ SECTION / BLOCK \_\_\_\_\_  
HOUSE [ ] MOBILE HOME [ ] { # Bdrm. } \_\_\_\_\_ BUSINESS [ ] { # EMPLOYEES/MEMBERS/SEATS } 4  
WATER SUPPLY: PUBLIC [ ] WELL [ ] OTHER \_\_\_\_\_ DESIGNATED WETLANDS: YES [ ] NO [ ]  
BASEMENT/LOWER LEVEL PLUMBING YES [ ] NO [ ] SYSTEM MINIMUM REVIEW FREQUENCY 12  
DAILY DESIGN FLOW 100 gpd DOMESTIC WASTEWATER [ ] INDUSTRIAL WASTEWATER [ ]

LTAR .8 gpd/ft<sup>2</sup> TANK SIZE 900 Gallons NITRIFICATION FIELD 125 Square Feet

NUMBER OF LINES N/A LENGTH N/A Feet DEPTH 6-8 Inches

BED SYSTEM SIZE 10 x 12.5 Type A Reel System (Puraflo proposed)

\*\*\*\*\*IF GARBAGE DISPOSAL UNIT IS TO BE USED AN EFFLUENT FILTER SHALL BE INSTALLED\*\*\*\*\*  
SEE LAYOUT OR ATTACHED PLOT PLAN  
NO CHANGE IN SEPTIC SYSTEM OR ITS LOCATION WITHOUT PRIOR APPROVAL  
FROM THE PENDER COUNTY HEALTH DEPARTMENT.  
THIS PERMIT IS SUBJECT TO REVOCATION IF THE SITE PLAN, PLAT OR INTENDED USE OF THIS SITE CHANGES.  
G.S. 130A-335 (f)

MINIMUM HORIZONTAL SEPARATION OF SEPTIC SYSTEM {See Section .1950 a-c}

5 YEAR IMPROVEMENT PERMIT: James Teachey RS ISSUE DATE 4-14-05

IMPROVEMENT PERMIT, NO EXPIRATION DATE: N/A ISSUE DATE \_\_\_\_\_

CONDITIONS / ADDITIONAL INFORMATION:

- \* Install a Puraflo Type A Reel System in accordance with the Innovative Wastewater System Approval and as shown in the site plan prepared by Land Management Group Inc.
- \* The system installed must be authorized by the manufacturer.
- \* Prior to the issuance of an operation permit, a contract shall be executed between the system owner and a private certified insurance operator.

SYSTEM INSTALLED PROPERLY  
SYSTEM OPERATOR NEEDED BEFORE OPERATION  
PERMIT IS ISSUED 3/14/06

3-29-06 - operator contract on 3-20-06

CONSTRUCTION AUTHORIZATION: James Teachey RS ISSUE DATE 4-19-05  
VALID FOR 5 YEARS FROM THE DATE OF ISSUANCE OF IMPROVEMENT PERMIT.

OPERATION PERMIT: James Teachey RS ISSUE DATE 3-29-06

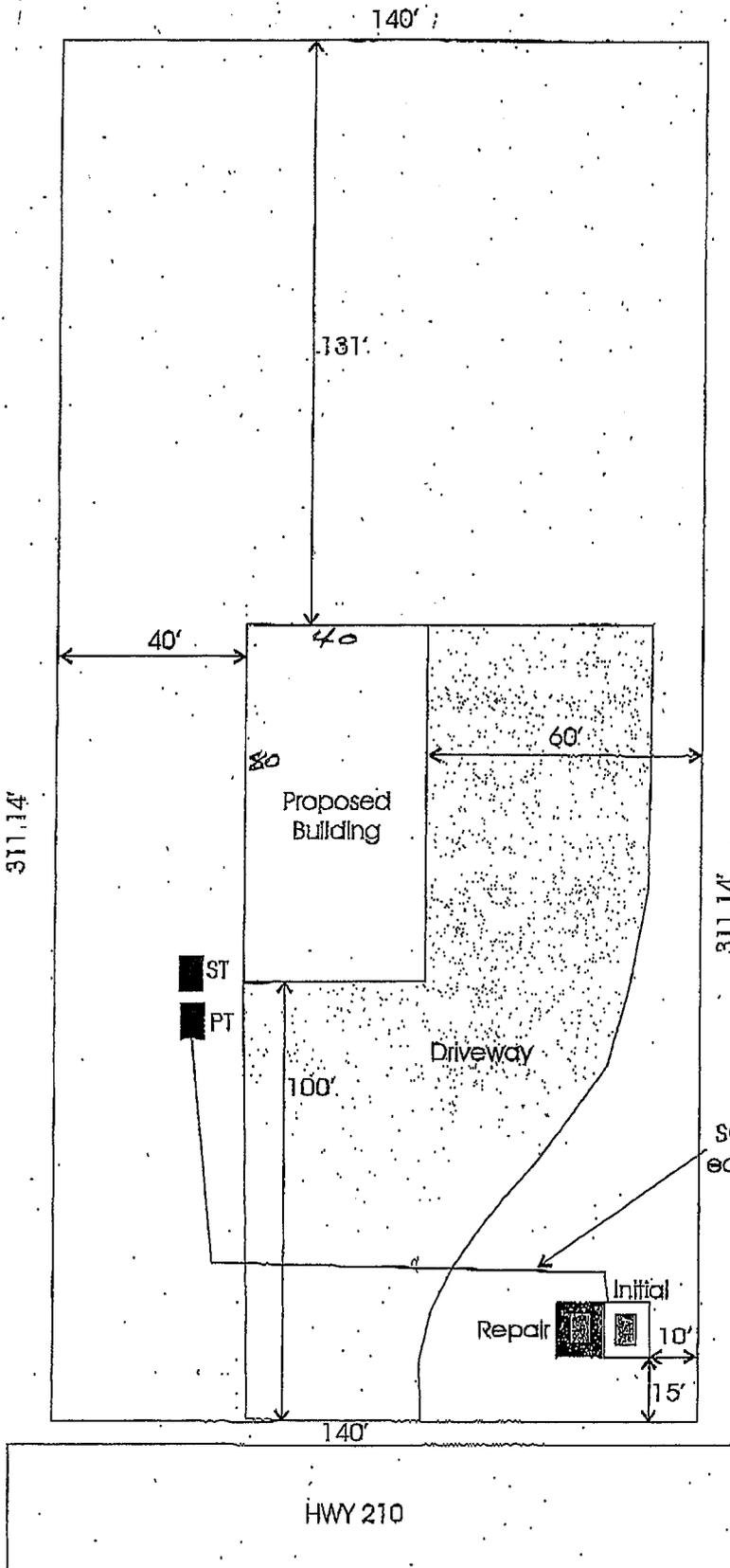
INSTALLER Al Sidbury

THIS PERMIT DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE AND SATISFACTORY PERFORMANCE IS NOT ASSURED BY THE PENDER COUNTY HEALTH DEPARTMENT.

David Sinclair  
HWY 210 Commercial Site  
March 8, 2005  
Scale 1" = 40'

ENVIRONMENTAL HEALTH SECTION	
P. O. BOX 1208	
DURHAM, NC 28625	
PERMIT #	180427
PAGE	2 OF 2
SIGNATURE	James Teasley W. 4-19-05
DATE	

Site Plan  
Prepared by: David Sinclair  
Approved by: Cheryl Kelly  
39475



Business Equipment Storage Facility  
Wastewater System Design Details

4 Employees = 100 gpd  
900 gal septic tank  
900 gal pump tank

Initial & Repair Puraflo Type A  
soil wetness condition 12-18"

LTAR 0.8

125 sq ft

1 module on a (10'x 12.5') Bed

**No reduction taken to compensate for  
Intermittent Bh horizon.**

Supply Line ductile iron or  
equivalent under driveway.



Land Management Group Inc.

Drawing by K.E.

Job # 30-05-178

452-0001

Kirt Ever's

61-471-0503

List of Adjacent Property Owners for 2479 NC Hwy. 210W:

1) Jerry Ernest Parker (Owner of 2445 NC Hwy.210W)

P.O. Box 596

Hampstead, N.C. 28443

2) J&J Property Investments LLC (Owner of 2505 NC Hwy.210 W)

406 W. Windward Land Place

Hampstead, N.C. 28443

3) Johnie C. Garrason et al (Owner of the property directly across

810 Bluebird Ln.

the road from 2479 NC Hwy.210W)

Wilmington, N.C. 28409